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February 2, 2022

**By ECF**

Hon. Denise L. Cote  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *Cheetah Digital, Inc. v. Smoothie King, Inc.*, 21 Civ. 6213 (DLC)

Dear Judge Cote:


I write respectfully on behalf of Cheetah Digital, Inc., plaintiff in the above-referenced action (“Cheetah Digital”), to advise Your Honor that the parties have settled this matter in principle. Cheetah Digital and defendant Smoothie King Franchises, Inc. are presently finalizing their written agreement and expect to complete that process in short order.

We anticipate that the conditions of settlement will be met by the middle of February 2022. Once they have been, the parties will forward a stipulation and proposed order dismissing the case for the Court’s consideration and entry.

Both parties thank the Court for its careful oversight of these proceedings.

Respectfully submitted,

YANKWITT LLP

By:   
Daniel S. Alter

Cc: Christos G. Papapetrou, Esq.  
**By ECF**